

RICARDO HERRERA	§	
v.	§	CIVIL ACTION NO. 5:14cv18
TEXAS DEPARTMENT OF CRIMINAL JUSTICE, ET AL.	§	

The Magistrate Judge issued a Report recommending the motion for summary judgment filed by Collum, Moore, Smith, and Sullivan be granted as to Herrera's claim of falsification

of government documents and with regard to any claims for monetary damages brought against the Defendants in their official capacities, and the motion be in all other respects denied. The Magistrate Judge also issued Reports recommending the motions to dismiss filed by Officer Jefferson and the Texas Department of Criminal Justice, Correctional Institutions Division be granted.

No objections were filed to any of these Reports; accordingly, the parties are barred from de novo review by the district judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the district court. Douglass v. United Services Automobile Association, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*).

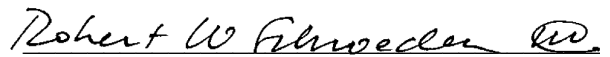
The Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge. Upon such review, the Court has determined the Report of the Magistrate Judge is correct. See United States v. Wilson, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918, 109 S.Ct. 3243 (1989) (where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law."). It is accordingly

ORDERED that the Reports of the Magistrate Judge (docket no.'s 31, 32, and 33) are ADOPTED as the opinion of the District Court. It is further

ORDERED that the motion for summary judgment (docket no. 18) filed by the Defendants Collum, Sullivan, Moore, and Smith is GRANTED as to the Plaintiff's claim of falsification of government documents and with regard to any claims for monetary damages brought against the Defendants in their official capacities. Those claims are hereby DISMISSED with prejudice. The Defendants' motion for summary judgment is in all other respects DENIED. It is further

ORDERED that the motions to dismiss filed by the Defendants Sertander Jefferson (docket no. 27) and the Texas Department of Criminal Justice, Correctional Institutions Division (docket no. 10) are GRANTED. The claims against these parties are DISMISSED with prejudice and they are terminated as parties to the lawsuit.

SIGNED this 4th day of August, 2015.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE